

INTERNET
FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

FORM EXEMPT UNDER 44 U.S.C. 3512

DO NOT WRITE IN THIS SPACE

Case

Date Filed

18-CA-166860

December 30, 2015

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Franchisee DP&K Inc. d/b/a McDonalds USA at 2733 E. Washington Ave. and 2051 W. Broadway, Madison, WI and 2845 Fish Hatchery Rd. Fitchburg, WI, & McDonalds USA LLC as single or joint employer		b. Tel. No. 608 240-1665
		c. Cell No.
		f. Fax No. 608 244-1913
		g. e-Mail
		h. Number of workers employed 30
d. Address (Street, city, state, and ZIP code) N3250 County Hwy J Poynette WI	e. Employer Representative	
i. Type of Establishment (factory, mine, wholesaler, etc.) Restaurant	j. Identify principal product or service Fast food	
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (3) _____ of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

The employer interfered with, and retaliated and discriminated against employees (b) (6), (b) (7)(C) after each demonstrated or expressed support for the (b) (6), (b) (7)(C) MWOC-sponsored fast food workers strike. On (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) at the E Washington store that (b) (6), (b) (7)(C) would be terminated if (b) (6), (b) (7)(C) supported the (b) (6), (b) (7)(C) strike. On (b) (6), (b) (7)(C) was terminated by (b) (6), (b) (7)(C) who cited (b) (6), (b) (7)(C) support for the strike as a factor in (b) (6), (b) (7)(C) termination. On (b) (6), (b) (7)(C) was terminated on account of (b) (6), (b) (7)(C) support for the (b) (6), (b) (7)(C) strike from the Fitchburg store. On (b) (6), (b) (7)(C) was informed by (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) at the W. Broadway store was (b) (6), (b) (7)(C) because (b) (6), (b) (7)(C) had picketed the McDonalds store on Park Street on (b) (6), (b) (7)(C).

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

Milwaukee Workers Organizing Committee

4a. Address (Street and number, city, state, and ZIP code)

1862 W. Fond du Lac Ave.
Milwaukee, WI 53205

4b. Tel. No. (b) (6), (b) (7)(C)

4c. Cell No.

4d. Fax No.

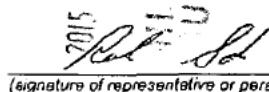
4e. e-Mail

Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) N/A

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By



(signature of representative or person making charge)

Richard Saks

(Print/type name and title or office, if any)

Tel. No.

414 271-8850

Office, if any, Cell No.

414 331-4405

Fax No.

414 271-8442

e-Mail

rsaks@hq-law.com

Address 222 E. Erie St., #210, Milwaukee, WI 53201-0442

12-30-15

(date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

SUBREGION 30
310 West Wisconsin Avenue, Suite 450W
Milwaukee, WI 53203-2246

Agency Website: www.nlrb.gov
Telephone: (414)297-3861
Fax: (414)297-3880



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December 30, 2015

DP & K INC. D/B/A MCDONALDS USA & MCDONALDS USA LLC
N3250 COUNTY ROAD J
POYNETTE, WI 53955-9296

Re: DP & K Inc. d/b/a McDonalds USA &
McDonalds USA LLC
Case 18-CA-166860

Dear Sir or Madam:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner AMANDA E. BAHNSON whose telephone number is (414)297-1819. If this Board agent is not available, you may contact Deputy Regional Attorney PERCY J. COURSEAU, III whose telephone number is (414)297-3877.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent.

Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.


Procedures: We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

MARLIN O. OSTHUS
Regional Director

By: 
BENJAMIN MANDELMAN
Officer in Charge

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

Revised 3/21/2011

NATIONAL LABOR RELATIONS BOARD

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

CASE NUMBER

18-CA-166860

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)**2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS**5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates)

YES NO

A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. **Did you begin operations within the last 12 months?** If yes, specify date: _____**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

**DP & K INC. D/B/A MCDONALDS USA &
MCDONALDS USA LLC**

Charged Party

and

**MILWAUKEE WORKERS ORGANIZING
COMMITTEE**

Charging Party

Case 18-CA-166860

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on December 30, 2015, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

DP & K Inc. d/b/a McDonalds USA &
McDonalds USA LLC
N3250 County County Road J
Poynette, WI 53955-9296

December 30, 2015

Date

Josie Castro, Designated Agent of NLRB

Name

/s/ Josie Castro

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

SUBREGION 30
310 West Wisconsin Avenue, Suite 450W
Milwaukee, WI 53203-2246

Agency Website: www.nlrb.gov
Telephone: (414)297-3861
Fax: (414)297-3880



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December 30, 2015

RICHARD SAKS, ESQ.
MILWAUKEE WORKERS ORGANIZING COMMITTEE
1862 W. FOND DU LAC AVE.
MILWAUKEE, WI 53205

Re: DP & K Inc. d/b/a McDonalds USA &
McDonalds USA LLC
Case 18-CA-166860

Dear Mr. Saks:

The charge that you filed in this case on December 30, 2015 has been docketed as case number 18-CA-166860. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner AMANDA E. BAHNSON whose telephone number is (414)297-1819. If this Board agent is not available, you may contact Deputy Regional Attorney PERCY J. COURSEAU, III whose telephone number is (414)297-3877.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you

December 30, 2015

fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

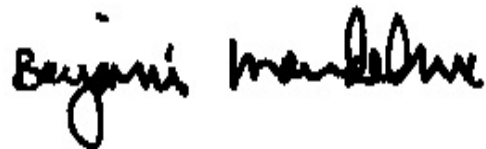
Procedures: We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website www.nlr.gov or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

MARLIN O. OSTHUS
Regional Director

A handwritten signature in black ink, appearing to read "Benjamin Mandelman".

By:

BENJAMIN MANDELMAN
Officer in Charge

From: [Hux, James](#)
To: [Bahnson, Amanda E.](#); [Miller, Steve](#)
Subject: RE: DP&K, Inc.
Date: Thursday, January 28, 2016 6:23:32 PM

Ms. Bahnson. This is done. We are awaiting client approval. It should be imminent. I am afraid I cannot submit unless the client has approved of our response. We appreciate your patience. You won't have to wait much longer.

James M. Hux, Jr.
Attorney at Law

jhux@laborlawyers.com | O: (312) 580-7809
10 South Wacker Drive | Suite 3450 | Chicago, IL 60606



[vCard](#) | [Bio](#) | [Website](#) **Representing employers nationally in labor and employment matters**



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Orlando | Philadelphia | Phoenix | Portland | San Antonio | San Diego | San Francisco | Seattle | Tampa | Washington, DC

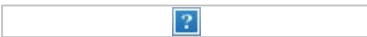
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From: Hux, James
Sent: Wednesday, January 27, 2016 1:24 PM
To: 'Bahnson, Amanda E.' <Amanda.Bahnson@nlrb.gov>; Miller, Steve <smiller@laborlawyers.com>
Subject: RE: DP&K, Inc.

Ms. Bahnson – we will file by tomorrow at the latest, and hope to file today. Apologies for the delay.

James M. Hux, Jr.
Attorney at Law

jhux@laborlawyers.com | O: (312) 580-7809
10 South Wacker Drive | Suite 3450 | Chicago, IL 60606



[vCard](#) | [Bio](#) | [Website](#) **Representing employers nationally in labor and employment matters**



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From: Bahnson, Amanda E. [<mailto:Amanda.Bahnson@nlrb.gov>]
Sent: Wednesday, January 27, 2016 1:22 PM
To: Miller, Steve <smiller@laborlawyers.com>; Hux, James <jhux@laborlawyers.com>
Subject: DP&K, Inc.

Gentlemen:

I had spoken with Mr. Hux about your position statement for this case. At that time, I asked that it be submitted no later than January 26. I have not yet received it. Could you please advise me as to when it will be submitted? Thanks.

Amanda Bahnson
Field Examiner
National Labor Relations Board
Subregion 30 – Region 18
310 W. Wisconsin Ave., Suite 450 W
Milwaukee, WI 53203
p)414-297-1819
f)414-297-3880

MEMORANDUM

TO: File

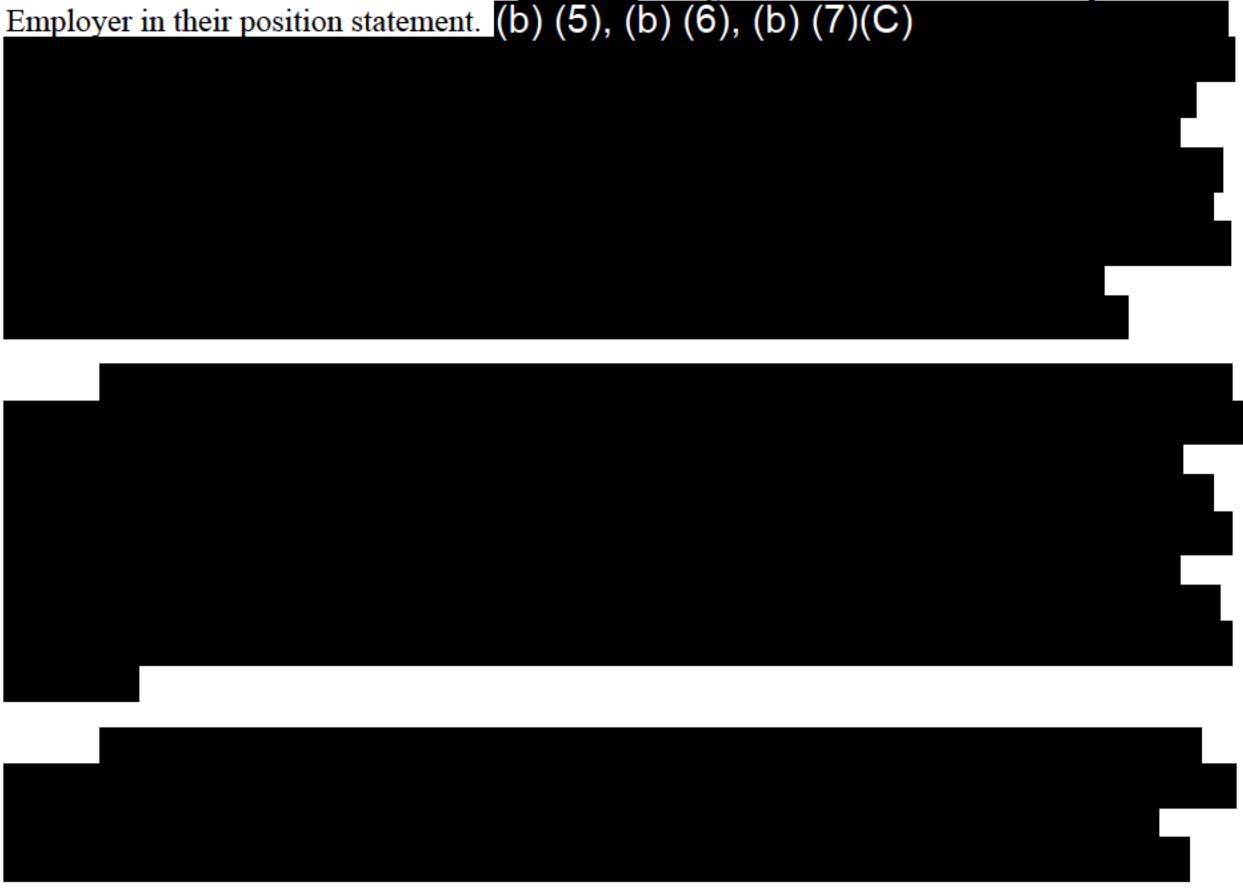
DATE: February 2, 2016

RE: DP & K Inc. d/b/a McDonalds USA & McDonalds USA LLC, as single or joint employer
Case 18-CA-166860

FROM: AMANDA E. BAHNSON, FIELD EXAMINER

CONVERSATION WITH (b) (6), (b) (7)(C)

On this date I called to talk with (b) (6), (b) (7)(C) in regard to the statements made by the Employer in their position statement. (b) (5), (b) (6), (b) (7)(C)



From: [Dunham, Geoffrey](#)
To: [Courseault, Percy J. III](#)
Cc: [Wainstein, Richard](#); [Kelly, David A.](#); [Roberts, Tracey](#); [Bahnson, Amanda E.](#)
Subject: Decision Affirmed: McDonalds 18-CA-166860
Date: Wednesday, February 17, 2016 4:53:26 PM
Attachments: [CHG.18-CA-166860.Signed Charge Against Employer 12 30 15.pdf](#)

Percy, we agree with your dismiss recommendations. (b) (5), (b) (6), (b) (7)(C)

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] OK to

process. Geoff

.

From: Courseault, Percy J. III
Sent: Thursday, February 11, 2016 11:46 AM
To: Dunham, Geoffrey <geoffrey.dunham@nrlrb.gov>
Cc: Bahnson, Amanda E. <Amanda.Bahnson@nrlrb.gov>
Subject: FW:

Hi Geoff,

The attached charge was found to have (b) (5) by SR-30. The FIR can be found at this link:
(b) (5), (b) (6), (b) (7)(C), (b) (7)(E)

Please let us know when we may move forward or contact me with questions. Thanks.

Percy
DRA, SR-30
414-297-3877

ORAL WITHDRAWAL REQUEST

On **February 19, 2016**, Milwaukee Workers' Organizing Committee, through Attorney Richard Saks, made an oral request to withdraw the charge in **DP & K Inc. d/b/a McDonalds USA & McDonalds USA LLC, as single or joint employer, Case 18-CA-166860**. On **(b) (5), (b) (6), (b) (7)(C)**, 2015, the Charging Party filed a charge alleging the Employer violated Section 8(a)(1) and (3) by terminating employee **(b) (5), (b) (6), (b) (7)(C)** and by refusing to hire **(b) (6), (b) (7)(C)** because of their protected concerted and/or Union activity. Today, after being informed the Region intended to dismiss absent withdrawal, the Region was notified that the Union was requesting to withdraw its charge herein.

Therefore, in accordance with OM Memorandum 95-9, this verbal withdrawal request is submitted for your approval.

Withdrawal Request Approved:

By: _____
Officer in Charge

Dated Approved a/ka/
CLOSING DATE: _____

NX GEN QUESTIONS

IS THIS CASE ADJUSTED?? NO REMEDIES?

BARGAINING STATUS AT CLOSURE?

❖ **NONE**

Czarnezki, June L.

From: Bahnson, Amanda E.
Sent: Monday, February 22, 2016 11:58 AM
To: ML-R30-Support Staff (R)
Cc: Courseault, Percy J. III
Subject: VIRTUAL WORK BOX FW: McDonald's, Case 18-CA-166860
Attachments: McDonalds withdrawal.docx

Please process this withdrawal from Friday. Thanks.

From: Bahnson, Amanda E.
Sent: Friday, February 19, 2016 3:27 PM
To: ML-R30-Support Staff (R) <ML-R30-SupportStaff@nlrb.gov>
Cc: Courseault, Percy J. III <Percy.Courseault@nlrb.gov>
Subject: FW: McDonald's, Case 18-CA-166860

Please process this withdrawal using the attached form and this e-mail as the approval. Thanks.

From: Courseault, Percy J. III
Sent: Friday, February 19, 2016 3:24 PM
To: Bahnson, Amanda E. <Amanda.Bahnson@nlrb.gov>
Subject: RE: McDonald's, Case 18-CA-166860

I read the attached form and the withdrawal approved by this email (I'm at home)

From: Bahnson, Amanda E.
Sent: Friday, February 19, 2016 3:22 PM
To: Courseault, Percy J. III <Percy.Courseault@nlrb.gov>
Subject: McDonald's, Case 18-CA-166860

Please approve the withdrawal of this case. I have attached a form. Thanks.

Amanda Bahnson
Field Examiner
National Labor Relations Board
Subregion 30 – Region 18
310 W. Wisconsin Ave., Suite 450 W
Milwaukee, WI 53203
p)414-297-1819
f)414-297-3880

Case Name: DP & K Inc. d/b/a McDonalds USA & McDonalds USA LLC
Case No.: 18-CA-166860
Agent: FX Bahnson

CASEHANDLING LOG

Date	Person Contacted	Method of Contact	Description of Contact or Activity
12/31	Saks	Phone	I left a message that I would be in Madison on the 4 th if he would be able to present his witnesses then. I said that would be great if possible, but I understand if not as I was calling after noon on NYE.
	Jones Day	e-file	Notice of appearance for McDonald's
1/4	Saks	Phone	I called and left a message; he called back. He said that (b) (5), (b) (6), (b) (7)(C) [REDACTED] He said he would try to set it up, and would get back to me.
	Saks	e-mail	With schedule for Thursday and Friday. I replied to confirm.
(b) (6), (b) (7)(C)	Saks	Phone	He called my cell on the way in to the office. He said that (b) (6), (b) (7)(C) may not show (b) (6), (b) (7)(C) They have not been able to get in touch with (b) (6), (b) (7)(C) Rothgary will call me later to confirm one way or the other. He said that they will withdraw that part of the charge if (b) (6), (b) (7)(C) doesn't show.
	Rothgary	Phone	He called and left a message saying that (b) (6), (b) (7)(C) will definitely not be showing up. He can't get in touch with (b) (6), (b) (7)(C) He said that (b) (6), (b) (7)(C) is (b) (6), (b) (7)(C) wants to keep trying and reschedule if he gets in touch with (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	In person	(b) (6), (b) (7)(C)

Date	Person Contacted	Method of Contact	Description of Contact or Activity
	(b) (5), (b) (7)(C)	In person	(b) (5), (b) (6), (b) (7)(C)
1/12	Jones Day	e-mail	I e-mailed the three attorneys, and asked them to pick one to be the contact. Mike Ferrell said I should direct correspondence to him. Also confirmed they only represent McDonald's USA, not DP&K.
1/12	DP&K	Phone	I looked on the internet to find a good phone number for one of the stores alleged, so that I could get a phone number for the main office. (b) (6), (b) (7)(C). I asked (b) (6), (b) (7)(C) if (b) (6), (b) (7)(C) would be representing; (b) (6), (b) (7)(C) said no, they have counsel. (b) (6), (b) (7)(C) told me it is Steve Miller at Fisher and Phillips, smiller@laborlawyer.com , 312-580-7817.
	Miller	Phone	I left a message.
	Miller	e-mail	EAJA letter
1/13	Hox	Phone	He called to say that he is the legal rep for DP&K. I asked about Miller; he said they work together. I forwarded the e-mail to Miller to Hox. He said he would file notices of appearance. Hox said they do not do affidavits; just a pst. He asked about the deadline. I said I had put 1/19. He said they are closed on 1/18, and he would like more time. Originally he wanted until 1/22, then called back and said that wasn't enough time, he had looked at his calendar wrong. He wanted until 1/29. I said no. Then he said he should at least get two weeks. I said that usually we give one week, and that I can give a one week extension, but that we are pushing up against our deadline. I said that the position statement should not take too long. I gave him until 1/26.
1/14	Ferrell	e-mail	Refused to give me contact info for client, just

Date	Person Contacted	Method of Contact	Description of Contact or Activity
			to serve him.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

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February 22, 2016

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Re: DP & K Inc. d/b/a McDonalds USA &
McDonalds USA LLC, as single or joint
employer
Case 18-CA-166860

Dear Mr. Miller, Mr. Hux, Mr. Dixon, Mr. Ferrell and Ms. Davis:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

MARLIN O. OSTHUS
Regional Director

By: /s/ Benjamin Mandelman/AEO

BENJAMIN MANDELMAN
Officer in Charge

cc: RICHARD SAKS, ESQ.
HAWKS QUINDEL, S.C.
222 E ERIE ST STE 210
MILWAUKEE, WI 53202-6000

DP & K INC. D/B/A MCDONALDS USA
& MCDONALDS USA LLC AS SINGLE
OR JOINT EMPLOYER
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